GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department **–** Appointment of Sri JC Sharma, IAS, (Retd.) as Head of the Commission to study the existing Scheduled Caste list of Andhra Pradesh particularly regarding the existence of Beda/ Budaga Jangams in State of Andhra Pradesh & measures to prevent the people from the non-Scheduled Caste communities, from obtaining false Caste Certificates as if belonging to the Scheduled Caste communities & depriving the persons from the genuine Scheduled Caste communities of their legitimate rights, etc., and to make recommendations to the Government – Orders – Issued.

SOCIAL WELFARE (CV.1) DEPARTMENT

G.O.MS.No. 96 **Dated: 13-11-2017**

Read the following:

1. G.O.Ms.No.144, S.W.(CV1) Department, dt.17.07.2008.
2. From the Commissioner, Social Welfare, Hyderabad Lr. Rc. No. R1/11048/2008, dt:25.11.2008 , dt.11.02.2009 & 19.5.2009
3. G.O.Ms.No.64, Social Welfare (CV1) Department, dated:19.08.2010.
4. G.O.Ms.No.73, Social Welfare (CV1) Department, dated:17.08.2017.
5. Letter received from Hon'ble Justice Reddy Kanth Rao (Retired) , dated 17.10.2017.

*****

O R D E R:

Vide the G.O. in the reference 1st read above, orders have been issued amending the Andhra Pradesh(Scheduled Castes, Scheduled Tribes & Backward Classes) Issue of Community, Nativity and Date of Birth Certificates Rules, 1997,duly exercising the powers conferred under the Andhra Pradesh (SCs, STs & BCs) Regulation of Issue of Community Certificates Act,1993 read with the Constitution (Scheduled Castes) Order (Second Amendment) Act, 2002 [Act No.61/2002] restricting the issuance of Caste Certificates to the Beda Jangam/ Budaga Jangams community in the Telangana region only.

2. The Commissioner of Social Welfare, Andhra Pradesh in his letter vide the reference 2nd read above has informed that the Andhra Pradesh Scheduled Castes, Scheduled Tribes Legislative Forum in their representation dated 2.9.2008 have stated that certain non-Scheduled Castes communities, by misrepresenting the facts are obtaining false caste certificates for securing seats in educational institutions and jobs in Government, Local Bodies and in the Public Sector, depriving the genuine Scheduled Castes of their opportunities. This issue is more rampant in the case of the Chambadi/Ayodhya Kapu, Jangam / Jangam Devarlu, Dasari, Medari, Kunapuli, Barika and Kuruba / Kuruma communities who are obtaining false certificates as if belonging to the Schedule Castes communities i.e., as belonging to the Samban, Beda(Budaga) Jangams/Beda Jangams, Holeya Dasaris, Mala Dasaris, Kolpulavandlu, Barikas and Madasi/ Madari Kuruvas communities respectively.

3. The Commissioner of Social Welfare, Andhra Pradesh has also reported that several Scheduled Castes Associations have also been frequently representing that people belonging to the non-SC Castes community, who do not have the disability of untouchability, should be prevented from claiming Scheduled Castes status and action should be taken to identify & cancel all such false certificates obtained by non-S.C.s and to withdraw all the benefits secured by such false certificate holders.

4. Finally, the Commissioner of Social Welfare, Andhra Pradesh has requested to constitute a Commission for studying the issue of false SC caste certificates relating to Beda Jangams/ Budaga Jangams in Coastal and Rayalaseema Regions and the other castes i.e., Samban, Holiya Dasaries, Mala Dasaries, Kolpulavandlu, Barikas and Madasi/Madari Kuruvas respectively and cancellation of certain orders, if any, detrimental to the interest of genuine S.Cs and obtaining of SC caste certificates by the Jangams(BCs) as belonging to the SCs.

5. Accordingly, in the reference 3rd read above, the Government have appointed Hon'ble Dr. Justice Motilal B.Naik (Retd.) as the Head of the Commission to study the issues & make recommendations to the Government, but due to the contemplated modification of One Man Commission into Three Men Commission, the said commission has not commenced its functioning.

6. In the meantime, vide the Fifth Schedule of the A.P. Reorganization Act, 2014, the Beda (Budaga) Jangam community stands omitted from the list of communities notified as Scheduled Castes for the State of Andhra Pradesh and finds place in the list of Schedule Castes pertaining to the State of Telangana.

[P.T.O]

7. In the reference 4th read above, the Government have appointed Hon'ble Justice Reddy Kanth Rao(Retd.) as the Head of the Commission to study the issues & make recommendations to the Government, but in the reference 5th read above Hon'ble Justice Reddy Kanth Rao (Retd.) has informed that he is unable to accept the assignment in view of his appointment as Member(Judicial) Central Administrative Tribunal, Hyderabad Bench, Hyderabad on 23.08.2017 and since the conditions of service of the post do not permit the acceptance of any other assignment.

8. In view of the reasons recorded in the paras supra, the Government after having re-examined the matter in detail and with careful consideration of the factual matrix have decided to appoint a One-Man Commission headed by a senior officer belonging to the Indian Administrative Service to examine the following issues:

1) Existence of Beda/ Budaga Jangam community in the State of Andhra Pradesh.

2) Measures to prevent the people from the non-Scheduled Caste communities, as detailed in Para (2) above, from obtaining false Caste Certificates as if belonging to the Scheduled Caste communities & depriving the persons from the genuine Scheduled Caste communities of their legitimate rights.

3) Measures to be taken for the cancellation of bogus Scheduled Caste community certificates already obtained by the people belonging to the non-Scheduled Caste community SC by misrepresenting the facts.

4) Measures to be taken regarding the filing of multitude of Writ Petitions before the Hon'ble Courts by non-Scheduled Caste students/ employees and continuing their studies/ services on the strength of interim orders & depriving the persons from the genuine Scheduled Caste communities of their legitimate rights.

5) Initiation of disciplinary action against the Government officials who have issued false/bogus Caste Certificates without proper verification of genuinity of the claim.

9. The Government after careful examination of the proposal, hereby appoint Sri JC Sharma, IAS(Retd.), as Head of the Commission to study the issues mentioned at Para (8) above, and to make recommendations to the Government with in a period of (6) months.

10. Orders will be issued separately regarding terms & conditions of the appointment of Sri JC Sharma, IAS(Retd.) as Head of the Commission and the Director of Social Welfare, Andhra Prasdesh, Tadepalli is requested to furnish the proposal with the details of the accommodation, supporting staff and other logistics to be provided to the One Man Commission for the consideration of the Government to enable it to issue necessary orders.

(This G.O can be accessed through Internet on http://goir.ap.gov.in/)

(**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

S.S. RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Social Welfare, A.P., Tadepalli, Guntur District.

Sri JC Sharma, IAS(Retd.), Spl. Chief Secretary.
(through the Director of Social Welfare, A.P., Tadepalli, Guntur Dist.)

Copy to :

The Registrar General, A.P. High Court, Hyderabad.
The G.A.(Poll.D/Poll.C) Department.
The Finance (FMU. Welfare) Department.
The Secretary, A.P. State Commission for SCs & STs, Vijayawada.
The Law Department.
All the District Collectors in the State.
All the Departments in the Secretariat.
The PS to Secretary to CM.
The PS to CS.
The PS to M(SWE&TWE).
All PSs to Ministers.
The PS to Principal Secretary(TW).
The PS to Principal Secretary(SW).
The VC&MD, APSCCFC Ltd., A.P., Tadepalli, Guntur District.
Sf/Sc

// FORWARDED:: BY ORDER //

SECTION OFFICER